

**SONORAN DESERT WILLOW ESTATES
ARCHITECTURAL CONTROL COMMITTEE
PROCEDURES**

Definitions

HOA - the Sonoran Desert Willow Estates Homeowners Association

BOD - the Board of Directors of the Association

ACC – the Architectural Control Committee of the Association

CMC – the community management company retained by the Board of Directors

CC&R's – the Covenants, Conditions, and Restrictions binding the Members or Home Owners to the Association

Design Guidelines – the architectural guidelines established by the Board

DMR – the Architectural Design Modification Request

Fines and Penalties Enforcement Procedure – procedures and rules for enforcement of CC&R and other rule violations by members

Home Owners – the home owner members of the Association

Reporting

The ACC shall be represented at BOD meetings by the chairperson or his/her designee when there are open DMR's or when requested by the BOD. The chairperson or designee shall be prepared to:

- a. report the status of all open cases and recommendations to the BOD;
- b. reconcile the ACC's schedule of open requests with the CMC's schedule of open requests; and
- c. carry out required communications with the BOD and CMC to bring all cases to a close.

The CMC shall report the vote for each decided DMR including who voted and the degree of participation in voting of each ACC member. How each member voted will not be reported.

Enforcement

The ACC has review, communications and recommendation responsibilities, but no enforcement responsibility. The Hearing and Fines Enforcement Procedures fall to the BOD and the CMC. The BOD shall proceed in accordance with the enforcement procedures to resolve architectural discrepancies.

Approval Process

Note: CC&R provision 9.3 states that if a homeowner does not receive a notification of a decision within thirty (30) calendar days of the date of DMR acceptance for ACC review, the homeowner must deem that approval of the DMR has been denied. If the homeowner does not want to abandon or change the project, the homeowner may resubmit the project documents to the CMC. If the homeowner receives no response to the resubmission within a second thirty (30) day period, the homeowner can presume that approval has been given and can proceed with the project.

1. DMR Development and Submission
 - a. the homeowner describes the project on a DMR and provides appropriate plans and specifications
 - b. the homeowner sends the completed DMR and supporting documents to the CMC.

2. CMC Initial Review
 - a. the CMC reviews the submitted DMR/document(s) for deficiencies.
 - b. if additional information is required, the CMC will return all documents to the homeowner with a request for the needed information
 - c. if additional information is not needed, the CMC will proceed to Step 3
3. CMC Initial Processing
 - a. stamp the DMR/documents with date received
 - b. enter into a log date received, name of homeowner, lot number, and descriptive title of improvement
 - c. make and send copies of the DMR (showing date received) and supporting documents to ACC members
 - d. within two (2) business days of the date the DMR was received, send a letter or email to the homeowner acknowledging receipt of the DMR, the date received, and the date the DMR/documents were sent to the ACC
4. ACC Member Initial Review
 - a. review DMR/documents for obvious deficiencies
 - b. request any needed additional information from the ACC chairperson
 - c. the ACC chairperson forwards the request to the CMC and notifies all ACC members that additional information has been requested, identifying what has been requested
 - d. if additional information is NOT needed, proceed to STEP 6
 - e. If additional information is needed, proceed to STEP 5
5. CMC Additional Information Request from the ACC chairperson
When the CMC receives a request for additional information, the CMC will:
 - a. notify the homeowner that additional information is needed, describing what is needed
 - b. tell the homeowner the approval process is suspended pending receipt of this information
 - c. update the DMR log to record the request for additional information and to note that the DMR review process has been suspended pending receipt of the requested information
 - d. restart the CMR review process BY RETURNING TO STEP 3 when the homeowner submits the requested information
6. ACC Member Decision Process
 - a. within fifteen (15) calendar days from the latest date of receipt stamped on the DMR by the CMC, the ACC member reviews the DMR and all supporting documents and recommends acceptance or rejection of the DMR
 - b. the member then notifies the ACC chairperson of his/her recommendation
 - c. if the member is recommending the DMR should be rejected, the rejection notification should also include
 - 1) the reason for rejection, based upon CC&R provisions and/or provisions of the Design Guidelines, and
 - 2) any recommendations for changes that would make the DMR acceptable
7. ACC Chairperson – within twenty-one (21) calendar days from the latest date of receipt stamped on the DMR by the CMC, the ACC chairperson shall:
 - a. determine the total number of acceptance and rejection recommendations received from ACC members

- b. if the number of recommendations for acceptance exceeds the number for rejection, notify the CMC that the ACC recommends approval of the DMR
 - c. if the number of recommendations for rejection exceeds the number for acceptance, notify the CMC that the ACC recommends rejection of the DMR and include the reason(s) for this rejection recommendation; also include best recommendations, if any, that the homeowner may apply to the project to improve prospects for a recommendation for acceptance
 - d. make a list of the ACC members that did not provide response on the DMR
 - e. send the results of the ACC review to the CMC
8. ACC Chairperson
Bring the ACC final recommendation to the BOD for action
9. CMC Homeowner Notification – within thirty (30) calendar days from the latest date of receipt stamped on the DMR by the CMC, the CMC shall
- a. log the receipt of the ACC response
 - b. prepare either a letter of acceptance or a letter of rejection including any ACC recommendation as to how the project may improve prospects for a recommendation of acceptance
 - c. send the letter to the homeowner and inform the ACC Chairperson
 - d. log the date the letter was sent
 - e. prepare an entry for the DMR status report that shows
 - 1) the dates the DMR was accepted for review
 - 2) the date the acceptance or rejection letter was sent to the homeowner
 - 3) the ACC members voting or not voting on the DMR
10. Homeowner
- a. If the homeowner receives an acceptance letter from the CMC, the homeowner may begin the project
 - b. If it appears to the homeowner that the project completion date entered on the DMR will not be met, the homeowner should notify the CMC and provide new estimated completion date
 - c. If the homeowner receives a rejection letter from the CMC, the homeowner has three (3) options:
 - 1) Abandon the Project. If the homeowner elects this option, but has already started construction or any demolition, he or she must return the work or improvements to its original state or condition.
 - 2) Modify the Project. The homeowner may elect to modify the project to incorporate any ACC/CMC recommendations, if desirable, as to how the project might be made acceptable, and submit a new DMR and modified supporting documents to the CMC. This restarts the DMR approval process.
 - 3) Submit a New Project. The homeowner may elect to develop a totally new project and submit a new DMR with supporting documents to the CMC for consideration.
11. ACC Chairperson
- a. When the DMR is approved by the BOD, he or she is responsible for monitoring the project, unobtrusively for compliance with CC&R provisions 9.6, 9.7, and 9.8. The Chairperson may

- either personally monitor the project or may ask one of the ACC members to monitor the project and provide information relative to CC&R requirements.
- b. In addition, the ACC Chairperson shall communicate with the CMC and the HOA BOD concerning any project noncompliance and when an approved project is completed.
12. CMC Project Close-Out – upon notification from the ACC Chairperson that a project is complete, the CMC shall:
- a. Log the project’s completion date on the DMR log
 - b. Mark the project DMR documents as complete and file the documents in the lot number file, and
 - c. Update the DMR status report for discussion with the HOA BOD at the next BOD meeting.

Revised July, 2012

SONORAN DESERT WILLOW HOMEOWNERS ASSOCIATION DESIGN GUIDELINES

Introduction

The Declaration of Covenants, Conditions and Restrictions (CC&Rs) Sonoran Desert Willow Homeowners' Association (the Declaration) provides for an Architectural Control Committee (the "ACC") appointed by the Board of Directors of the Sonoran Desert Willow Homeowners' Association to review additions, modifications and alterations (referred to in this document as an "Alteration") to all Lots within the community and to establish rules and guidelines for such Alterations so that a uniform standard for maintenance can be achieved. This is achieved by balancing individual rights with the community needs and values. Membership on the ACC shall include at least one member of the board of directors who shall serve as chairperson of the committee. (Ref. SB1476, 2012) Capitalized words in this document not otherwise defined shall have the same meaning as described in the Declaration. The purpose of this document is to establish Design Guidelines for the community. These Design Guidelines provide a foundation of criteria for owner projects.

Submittals

All new construction or rebuild of the main residential structure (Ref. SB1476, 2012) or other alterations on the Lot need to be submitted, unless specifically stated otherwise in these Design Guidelines. The Owner shall submit the following to the ACC for approval prior to construction or installation of the Alteration:

1. The completed Design Modification Request form, including the signed waiver.
2. Plans and specifications for the proposed work, including, if applicable:
 - a. Site plan for the Lot, showing the new construction or rebuild of the main residential structure, or other alteration on the lot in its proposed location along with all other improvements on the Lot (house, driveway, pool, etc.).
 - b. Dimensions from the Alteration to the nearest existing improvement should also be shown. If plants are a part of the Alteration, the type of plant should be shown on the site plan.
 - c. Plans and specification for all above-ground construction (e.g. new construction or rebuild of the main residential structure, shed, patio cover, and gazebo) showing materials, height, width and paint color(s).
 - d. The time frame for beginning and completion of the work.
3. Additional information may be requested by the ACC.
4. The ACC reserves the right to request "reasonable" modifications to any Alteration, if deemed appropriate.

Variations

The ACC, at its discretion, may approve variations from the Design Guidelines, which will be evaluated on an individual basis.

Permits

The Lot Owner is solely responsible for obtaining all required permits and approvals from applicable public agencies such as County or City. All improvements are subject to all appropriate permits and inspection being obtained.

The ACC shall not knowingly approve any proposal that might violate governmental codes and regulations. However, the approval by the ACC does not indicate or imply compliance with such codes and regulations. Conversely, the governmental approval does not guarantee the ACC will approve the application.

Owner Disputes

The ACC will not address disputes between private property owners, nor will it serve as a liaison for resolving issues. The ACC will address architectural issues only.

General Criteria

All proposals should conform to the following general criteria:

1. **Positive Visual Impact:** harmony with construction and improvements existing on the Owner's lot and in surrounding neighborhood, i.e. similarity of style, material, color, size and quality, including similar character of trees and other landscaping.
2. **No Adverse Impact:** the work does not impair access, sunlight, ventilation or drainage of adjacent properties, and does not create hazard or nuisance of any kind of neighborhood, including light pollution.
3. **Workmanship:** professional, neat, finished, clean, safe.

You may want to discuss your proposal with neighbors before submitting an application to the ACC. In some cases, the ACC may request a written notification of your neighbors to be submitted along with your application, as one of the conditions of approval.

New Construction or Rebuild of the Main Residential Structure on the Lot

1. New construction or rebuilds must conform to the outside dimensions of the original structure.
2. Changes in footprint or square footage must be approved.
3. All outside treatments must conform to appropriate sections of these Design Guidelines.

Lighting

1. Accent Malibu type lighting SHALL NOT require approval if less than 15 lights are installed and bulbs are white or amber, not exceeding 18 watts per bulb, not exceeding twenty-four (24) inches in height from ground level, and illumination shall not cause excessive glare or light spillage onto adjacent Lots.
2. All flood lights SHALL require approval. All light not installed by the builder, must meet the following requirements:
 - a. The light emitting element and reflecting device of all lighting or illumination units shall be hooded or shielded so that it is not visible from any adjacent Lot or real property.

- b. Lights or illuminating units shall not direct light, either directly or through a reflecting device, upon an adjacent real property.
 - c. Motion lights must be turned off within 5 minutes.
 - d. Pole lighting is PROHIBITED.
3. Rear and side yard lighting shall be confined to patio and pool areas and shall not cause excessive glare or light spillage onto adjacent Lots.
 4. Holiday lighting SHALL NOT require approval if installed 45 days prior to the holiday and is removed 14 days after the holiday associated with the lighting. The opinion of the ACC as to what constitutes holiday lighting shall be binding.

POLITICAL SIGNS (Ref. HB2471, 2012)

1. No limit on political signs so long as the aggregate total dimensions of all political signs do not exceed nine (9) square feet.
2. Political signs may not be displayed earlier than seventy-one (71) days before the day of an election and later than three (3) days after an election day.

FOR SALE, FOR RENT AND FOR LEASE SIGNS (Ref. HB2471, 2012)

1. Such signs not commercially produced are prohibited.

Security Signs

Members are permitted to have one (1) sign on their property, which includes information related to a home security system actually in use at that property. Security signs are permitted. Signs SHALL NOT require approval if the total surface area on the display side of the sign will not exceed one hundred and ten (110) square inches. The top of sign shall not be higher than eighteen (18) inches from the surface of the walkway, gravel, dirt, etc. The signs should face the street and shall be located not more than twenty-four (24) inches from the structure.

Front Yard Landscaping/Improvements

1. All front yard landscaping SHALL require approval of the ACC prior to installation. Examples include, but are not limited to:
 - a. Hardscape accents (i.e., satio tile, brick pavers) may be used to construct stepping-stones and borders if the colors are compatible with the community. Acceptable colors include desert hues and other natural colors.
 - b. Lawn ornaments (bird baths, fountains, statues, etc.), except for temporary holiday decorations. Holiday decorations can be installed forty-five (45) days prior to the holiday and must be removed fourteen (14) days after the holiday.
 - c. Hardscape materials (i.e., concrete, brick, flagstone, tile, rock) used to construct new or modified walkways, new driveways or driveway extensions, free-standing walls or retaining walls, porch, patio, or seating areas or other similar structures.
2. The following rear and side yard improvements SHALL require approval:
 - a. All trees. (See prohibited plant list.)
 - b. Above ground pools and ancillary equipment.
 - c. Any structures (i.e., storage sheds, patio fireplaces, patio covers, gazebos, etc.).

- d. Any increase in the wall height SHALL require the prior written approval of the ACC. In addition, a request for changes made to a "shared" wall must be by a joint request signed by all Lot owners affected by the change. Any increases in wall height may also require approval of the City of Tucson and/or Pima County.
- e. Removal of a wall, or a portion thereof, to facilitate access.

When installing landscaping or irrigation, care must be taken to maintain proper grading to eliminate drainage onto neighboring Lots. Irrigation systems should not produce excessive watering. All exposed pipes are to be painted the color of the surface to which they are attached.

All landscaping and vegetation must adhere to:

Approved plant list – See Appendix A

Prohibited plant list – See Appendix B

Display of Flags

Display of the American flag SHALL NOT require approval.

Windssocks are limited to the rear yard only.

Pools

1. Any wall removed during construction of a pool, spa or other improvement shall be walls situated solely on the Owner's Lot; removal of walls abutting a Common Area shall not be allowed, without the expressed written consent of the Association. Any wall removed shall be replaced in its original state immediately after construction is complete, including stucco, rebar and paint (if originally constructed with stucco, rebar and paint).
2. The use of a dry well to retain pool backwash water is recommended. Backwashed water shall not be permitted to seep onto an adjoining Lot or common area.
3. Above ground pools and the location of associated pool cleaning and circulation equipment must be approved by the ACC.

Painting – Exterior Color Scheme

Use of the original exterior colors SHALL NOT require approval from the ACC. If you wish to change your present color scheme, and it conforms to any other original color schemes used in the Desert Willow Estates, no ACC approval is required. The ACC shall not limit requested color schemes to those found in the Sonoran Desert Willow Estates development. Requested color schemes shall not be extreme, such as the body paint in a bright pastel or other bright standout color, and must harmonize with the community. The paint on the body of the house should conform to those colors commonly referred to as "earth tones." Harmonizing colors are those color schemes commonly found in and around the Sonoran Desert Willow Estates development and in nearby residential developments.

All colors not currently in use or previously approved by the ACC in the Sonoran Desert Willows Estates development SHALL first be submitted to the ACC for approval.

GARAGE DOORS

Existing and replacement garage doors MUST be painted to match the color of the main body of the residential structure.

Gates

Repainting gates either the original color installed by the builder or the same color as the block wall, or the same color as the house SHALL NOT require approval of the ACC.

New gate installations SHALL require prior written approval of the ACC.

Gate designs and color schemes shall not be extreme, and must harmonize with the community. Harmonizing colors are those color schemes commonly found in and around the Sonoran Desert Willow Estates development and in nearby residential developments.

For additional privacy, natural wood slats (to exclude particle board and plywood) attached to the gate or the use of black metal screening SHALL NOT require the approval of the ACC.

Replacing the wood of gates using either natural cedar or redwood SHALL NOT require the approval of the ACC, so long as protective coatings (paint, stain, etc.) are limited to natural, clear preservative treatments, the dimensions of the gate are not changed, and the metal fasteners (screws, bolts, etc.) are either stainless steel or another material that will not rust or otherwise stain the wood over the life of the gate.

Screens/Security Doors

Security doors SHALL NOT require the approval of the ACC if they are wrought iron, are painted in colors that are not extreme, such as bright pastel or other bright standout colors, and harmonize with the community. Harmonizing colors are those colors commonly found in and around the Sonoran Desert Willow Estates development and nearby residential developments.

Screen or security doors constructed of any other material or color SHALL require the prior written approval of the ACC.

Security bars over windows are prohibited.

Gutters and Downspouts

The installation of gutters and downspouts SHALL NOT require the approval of the ACC if they are painted to match or blend with the color of the house or trim adjacent to where the installation occurs. The natural drainage pattern should not be affected by the installation of the gutters.

Prohibited Modifications and Additions

Changing of the established rainwater drainage pattern shall be prohibited, whether within the perimeter walls or elsewhere upon the Lot.

Storage Sheds

SHEDS CONSTRUCTED ON SITE:

1. SHALL be submitted to the ACC for approval prior to construction.
2. Placement of any on-site constructed shed must be shown on a site plan, in relation to the placement of your house and neighboring property walls.
3. No more than one foot (12") of the height of the shed at its highest point, including any additions such as ventilators, etc., may be visible above any property wall.
4. Must be placed five feet (5') from any wall adjacent to another owner's property, including common area property.
5. All ventilators must be painted to match the house or trim color.
6. Sheds must be painted to match color of body of house.
7. Consideration will be given to the impact on neighboring properties as well as properties with a view of the shed site.

METAL SHEDS ARE PROHIBITED

COMMERCIALY AVAILABLE SHEDS AND STORAGE LOCKERS ASSEMBLED ON SITE AND PRE-ASSEMBLED SHEDS PLACED ON SITE

1. SHALL be submitted to the ACC for approval prior to assembly or placement.
2. Placement of shed must be shown on a site plan, in relation to the placement of your house and neighboring property walls.
3. No more than one foot (12") of the height at the highest point of the shed or storage locker, including any additions such as ventilators, etc., may be visible above any property wall.
4. Must be placed five feet (5') from any wall adjacent to another owner's property, including common area property.
5. All ventilators must be painted to match the house or trim color.
6. Any paint on sheds must match the house color.
7. Consideration will be given to the impact on neighboring properties as well as properties with a view of the shed site.

Commercially available sheds or storage lockers less than the height of property walls SHALL NOT require ACC approval.

Temporary/Permanent Basketball Standards/Hoops

All basketball hoops, portable or fixed as permanent, are required to be placed in the **REAR YARD ONLY**. Basketball hoops stored hanging over a wall or on the ground where they can be seen from the street are prohibited.

Play and Exercise Equipment

All Play Equipment that (a) exceeds the height of eight feet (8') from ground level to the cross bar or the highest point, and/or (b) is placed within ten feet (10') from all neighboring boundaries SHALL require ACC approval.

The ACC shall consider Play Equipment if it adheres to the following guidelines:

1. Climbing platforms and slides shall be placed not higher than two (2) feet below the highest point of the rear yard fence to protect the privacy of neighboring Owners.
2. Play Equipment exceeding the height of eight feet (8') and/or not placed a minimum of ten feet (10') from all neighboring boundaries shall be screened from said adjoining property by shrubs or trees which will equal the height of the Play Equipment within a reasonable time period. The ACC may require that equipment be painted a color compatible with the house on the subject Lot.
3. Brightly colored canopies, roofs, or other visual distractions which are attached to the Play Equipment shall not be visible from Neighboring Property.
4. Any lights on the Play Equipment must meet the requirements in the Lighting section of these design guidelines.
5. Written consent of adjacent Lot owners should be included with the submittal.

Ramadas

1. All Ramadas SHALL require ACC approval.
2. Any Ramada exceeding the height of ten feet (10') and/or not placed a minimum of ten feet (10') from all neighboring boundaries shall be screened from said adjoining property by shrubs or trees, which will equal the height of the Ramada within a reasonable time period. The ACC may require that the Ramada be painted a color compatible with the house on the subject Lot.
3. Any lights on the Ramada must meet the requirements in the Lighting section of these design guidelines.
4. Written consent of adjacent Lot Owners should be included in the submittal.

Short Wave Radio Antennas

Short wave radio antennas SHALL NOT require prior written approval but may not exceed twelve (12) feet in height above the roof line if the antenna complies with the following restrictions. Those requiring more than twelve feet must prove the necessity.

1. The antenna must be placed on the Lot in such a manner as to minimize its visibility from the street, unless it is impossible to do so without impairing the user's ability to receive a satisfactory signal to make the receiver/transmitter operationally efficient.
2. An antenna as described above SHALL **NOT BE MOUNTED** in a front yard.

Antennas/Satellite Dishes

An antenna one meter (39.37") or less in diameter or diagonal measurement which is designed to receive signals from direct broadcast satellites (DBS), internet connectivity providers, or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MNMS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Lot if the antenna complies with the following restrictions in compliance with the Telecommunications Act of 1996, FCC Over-The-Air-Reception-Devices rules, and amendments to these rule in 1999 and 2000:

1. The antenna must be placed on the Lot in such a manner as to minimize its visibility from the street, unless it is impossible to do so without impairing the user's ability to receive a satisfactory signal to make the receiver/transmitter operationally efficient.
2. An antenna as described above SHALL **NOT BE MOUNTED** in a front yard.

No restriction contained in this section shall be deemed to impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS or unreasonably delay or prevent installation, maintenance or use of the antenna, unreasonably increase the cost of installation, maintenance or use of the antenna or preclude reception of an acceptable quality signal.

No antenna which is designed to receive signals from DBS or MMDS and which exceeds one meter across in measurement and no mast which exceeds twelve feet (12') in height above the roofline may be placed, installed, constructed or kept on any Lot without the prior written approval of the ACC.

Street side mailboxes

Non-secure mailboxes shall conform to the existing color, style, and type of non-secure mail boxes currently in use in the Sonoran Desert Willow Estates (development).

Locking mailboxes may be used and SHALL need the prior approval of the Architectural Control Committee (ACC). Locking mail boxes shall conform to the color and positioning of non-secure mailboxes currently in use in the development. Approval from the neighbor currently sharing the mailbox post with the applicant seeking modification is required prior to ACC approval. Non-secure mailboxes previously sharing mailbox posts will need to be moved to leave the remaining non-secure mailbox straddling the post, the cost of this change will be paid by the modification applicant. The new locking mailbox request shall meet the mounting and positioning requirements of the U.S. Postal Service, prior to approval by the ACC.

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- a. report the status of all open cases and recommendations to the BOD;
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- c. Update the DMR status report for discussion with the HOA BOD at the next BOD meeting.

Revised July, 2012

Appendix A

Approved Plant List

The following plants are approved for use at Desert Willow Estates in designated areas. Plants approved for revegetation in Natural Areas (indigenous plants) are designated by (N). Plants approved for use within the Development Envelope in Transitional Areas are designated by (T) and include all (N) plants. Plants approved for use in the Private Areas are designated by (P) and include both (N) and (T) plants. Some of the varieties listed may need protection from freezing, check with your local nurseryman and/or landscape architect.

All Natural and Transitional Areas which are disturbed and/or vegetation has been destroyed or removed during construction shall be revegetated with plant types and minimum densities as follows: For every six hundred (600) square feet of disturbed area, the Builder-Developer must plant (2) desert trees, minimum 15 gallon size; (6) desert shrubs, minimum 5 gallon size; and (6) desert shrubs, minimum one gallon size. Cactus may be substituted 2 for 1 for one-gallon shrubs. All container plantings shall be maintained on an irrigation system until the contained plantings are fully established. In addition, the entire disturbed area shall be seeded with a seed mix approved by the AC and watered a minimum of three times per day for two weeks. Further, plant materials salvaged as required in the conservation requirements (see Appendix C) are encouraged to be incorporated into the landscaping scheme for these areas. High visibility Natural and Transitional Areas may require additional vegetation/re-vegetation as determined appropriate by the Declarant.

Trees:

T	<i>Acacia abyssinica</i>	Abyssinian Acacia
N	<i>Acacia constricta</i>	Whitethorn Acacia
N	<i>Acacia farnesiana</i>	Sweet Acacia
N	<i>Acacia greggi</i>	Cat Claw Acacia
N	<i>Acacia smalii</i>	Southwest sweet Acacia
T	<i>Acacia stenophylla</i>	Shoestring Acacia
N	<i>Canotia holacantha</i>	
N	<i>Celtis pallida</i>	Desert hackberry
T	<i>Celtis reticulata</i>	Netleaf hackberry
T	<i>Celtis douglasii</i>	Western hackberry
N	<i>Cercidum floridum</i>	Blue Palo Verde
N	<i>Cercidum michophyoom</i>	Foothills Palo Verde
N	<i>Chilopsis linearis</i>	Desert Willow
P	<i>Eriobotrya japonica</i>	Loquat
T	<i>Laurus nobilis</i>	Sweet Bay
N	<i>Olneya tesota</i>	Ironwood
T	<i>Pithecellobium flexicaule</i>	Texas Ebony
N	<i>Prosopis ssp</i>	Mesquite
P	<i>Prunus ssp</i>	Purple Plum, Carolina Laurel Cherry
T	<i>Quercus emeryi</i>	Emory Oak

Trees, Continued:

T	<i>Quercus gambelii</i>	Gamble Oak
N	<i>Sambucus carnadensis</i>	Elderberry
T	<i>Sophora secundiflora</i>	Mescal Bean, Texas Mountain Laurel
T	<i>Vitex agnus-castus</i>	Chaste Tree

Shrubs and Accent Plants:

P	<i>Abelea grandiflora</i>	Glossy abelia
T	<i>Acacia redolens</i>	Ground Cover acacia
P	<i>Acanthus mollis</i>	Bear's Breech
N	<i>Agave americana</i>	Century Plant
N	<i>Agave huachucensis</i>	Wide-leaf agave
N	<i>Agave vilmoriniana</i>	Octopus agave
N	<i>Agave weberi</i>	Smooth-edge agave
P	<i>Ajuga reptans 'purpurea'</i>	Bronze ajuga
N	<i>Aloe barbadensis</i>	Aloe vera
T	<i>Aloe ferox</i>	Cape aloe
N	<i>Ambrosia deltoidea</i>	Bur sage
P	<i>Antigonon leptopus</i>	Queens Wreath
T	<i>Arctostaphylos pungena</i>	Poinleaf manzanita
N	<i>Asclepias subulata</i>	
N	<i>Asclepias linstis</i>	
P	<i>Asparagus desniflorus sprengeri</i>	Asparagus fern
P	<i>Asparagus falcantus</i>	Asparagus fern
N	<i>Atriplex ssp</i>	Saltbrush (many varieties)
T	<i>Baccharis polularis</i>	Coyote bush
N	<i>Baileya multiradiata</i>	Desert marigold
P	<i>Bambusa ssp</i>	Bamboo
P	<i>Bougainvillea ssp</i>	Bougainvillea
T	<i>Caesalpinia gilliesii</i>	Mexican Bird of Paradise
T	<i>Caesalpinia pulcherrima</i>	Red Bird of Paradise
P	<i>Callistemon citrinus</i>	Lemon Bottlebrush
P	<i>Callistemon viminalis</i>	Weeping Bottlebrush
P	<i>Camellia japonica</i>	Camellia (many varieties)
P	<i>Carissa grandiflora</i>	Natal Plum
T	<i>Cassia ssp</i>	Cassia and Senna (many varieties)
N	<i>Carnegiea gigantea</i>	Saguaro
T	<i>Convolvulus mauritanicus</i>	Ground Morning Glory
P	<i>Cotoneaster ssp</i>	Cotoneaster (many varieties)
P	<i>Cycas revoluta</i>	Sago Plum
P	<i>Cyperus alternifolius</i>	Umbrella Plant
N	<i>Dasyliiron wheeleri</i>	Desert Spoon
N	<i>Dodonaea viscosa</i>	Hopseed Bush
N	<i>Echinocereus engelmannii</i>	

Shrubs and Accent Plants, continued:

P	<i>Eleaagnus macrophylla</i> 'Ebingei'	Silverberry
N	<i>Encelia farnosa</i>	Brittle Bush
N	<i>Encelia trifurca</i>	
N	<i>Ephedra faciculata</i>	
N	<i>Eripgonum faciculatum</i> v. <i>poliofolium</i>	
P	<i>Euonymus</i> ssp	Euonymus
P	<i>Fatsyhedera lizei</i>	Fatsyhedera
P	<i>Fatsia japonica</i>	Aralia
T	<i>Feijoa sellowiana</i>	Pineapple Guave
N	<i>Ferocactus</i> ssp	Barrel Cactus
P	<i>Ficus</i> ssp	Fig
N	<i>Fouquieria splendens</i>	Ocotillo
P	<i>Gardenia jasminoides</i>	Gardenia (many varieties)
T	<i>Gazania</i> ssp	Gazania (many varieties)
T	<i>Gelsemium sempervirens</i>	Carolina jasmine
N	<i>Gutierrezia sarothrae</i>	
P	<i>Hedera</i> ssp	Ivy
T	<i>Hesperaloe paraviflora</i>	Red Aloe
P	<i>Hibiscus</i> ssp	Hibiscus
P	<i>Ilex</i> ssp	Holly
P	<i>Jasminum</i> ssp	Jasmine
T	<i>Juniperus</i> ssp	Juniper (see Appendix B)
N	<i>Justica spigera</i> (Californica)	Desert Honeysuckle
P	<i>Lagerstroemia indica</i>	Crape Myrtle
T	<i>Lantana</i> ssp	Lantana
N	<i>Larrea divaricata</i>	Creosote Bush
T	<i>Leucophyllum frutescens</i>	Texas Ranger
P	<i>Ligistrum</i> ssp	Privet
P	<i>Liriope muscari</i>	Liriope
N	<i>Lotus rigidus</i>	
N	<i>Lycium exsertum</i>	
N	<i>Lycium fremontii</i>	
N	<i>Lysiloma thornberi</i>	Feather Bush
P	<i>Macfedyena unguis-cati</i>	Cat's Claw Vine
T	<i>Mahonia aquifolium</i>	Oregon Grape
T	<i>Malehore crocea</i>	Ice Plant
P	<i>Motsrs itifloifrd</i>	Fortnight Lily
P	<i>Myrtus comminus</i>	Myrtle
T	<i>Nandina domestica</i>	Heavenly Bamboo
P	<i>Nerium oleander</i> 'petite'	Dwarf Oleander (see Appendix B)
N	<i>Nolina microcarpa</i>	
P	<i>Ophiopogon japonicus</i>	Mondo Grass
N	<i>Opuntia</i> ssp	Prickly Pear Cactus
T	<i>Osteospermum fruticosum</i>	Trailing African Daisy

Shrubs and Accent Plants Continued:

T	<i>Penstemon</i> ssp	<i>Penstemon</i>
P	<i>Pilodendron</i> sellowm	<i>Philodendron</i>
T	<i>Photinea</i> ssp	<i>Photinia</i>
P	<i>Pittosporum</i> ssp	<i>Mockorange</i>
T	<i>Potentilla</i> ssp	<i>Cinquefoil</i>
P	<i>Pyracantha</i> ssp	<i>Pyracantha</i>
P	<i>Raphiolepis</i> indica	<i>Indian Hawthorn</i>
T	<i>Rhus</i> ovata	<i>Sugar Bush</i>
T	<i>Rose</i>	<i>Rose</i>
T	<i>Rosa</i> banksiae	<i>Lady Banks' Rose</i>
T	<i>Rosmarinus</i> officinalis	<i>Rosemary</i>
T	<i>Santolina</i> ssp	<i>Santolina</i>
T	<i>Senecio</i> cineraria	<i>Dusty Miller</i>
N	<i>Simmondsia</i> chinensis	<i>Jojoba</i>
P	<i>Spirea</i> ssp	<i>Spirea</i>
T	<i>Tecoma</i> stans	<i>Trumpet Bush</i>
P	<i>Tecomaria</i> capensis	<i>Cape Honeysuckle</i>
T	<i>Teucrium</i> chamaedrys	<i>Germander</i>
P	<i>Trachelospermum</i>	<i>Star Jasmine</i>
N	<i>Trixis</i> californica	
N	<i>Vauquelinia</i> californica	<i>Arizona Rosewood</i>
P	<i>Viburnum</i> ssp	<i>Viburnum</i>
N	<i>Viguira</i> deltoidea	
P	<i>Vinca</i> ssp	<i>Periwinkle</i>
N	<i>Yucca</i> baccata	<i>Yucca</i>
N	<i>Yucca</i> ssp	<i>Yucca (many varieties)</i>

Appendix B

Prohibited Plant List

1. Many species of tree or shrub whose mature height may reasonably be expected to exceed the height of the related Structure (see 3.8 Height of Landscaping) with the exception of those species specifically listed in Appendix A or those approved by the AC, are prohibited.
2. Specific plants prohibited because of aesthetic reasons or their allergy-producing characteristics, or susceptibility to disease include:

<i>Betula ssp</i>	<i>Birch (aesthetic)</i>
<i>Cupressus</i>	<i>Cypress (aesthetic)</i>
<i>Eucalyptus</i>	<i>All Varieties (aesthetic)</i>
<i>Fraxinus velutina</i>	<i>Arizona Ash (aesthetic)</i>
<i>Populus fremontii & augustifolia</i>	<i>Cottonwood (aesthetic)</i>
<i>Platanus wrightii</i>	<i>Sycamore (aesthetic)</i>
<i>Parkinsonia aculeata</i>	<i>Mexican Palo Verde (disease)</i>
<i>Pistacia ssp</i>	<i>Pastiche (aesthetic)</i>
<i>Salix (many species)</i>	<i>Willow (aesthetic)</i>
<i>Melia acedarach</i>	<i>Mulberry (law)</i>
<i>Magnolia (many species)</i>	<i>Magnolia (aesthetic)</i>
<i>Acer (many species)</i>	<i>Maple (aesthetic)</i>
<i>Arundo donax</i>	<i>Giant Reed (aesthetic)</i>
<i>Baccharis sarothroides</i>	<i>Desert Broom (weed)</i>
<i>Gleditsia ssp</i>	<i>Locust (aesthetic)</i>
<i>Grevillea ssp</i>	<i>Silk Tree (aesthetic)</i>
<i>Olea europaea</i>	<i>Olive (law)</i>
<i>Rhus Lancea</i>	<i>African Sumac (aesthetic)</i>

3. Fountain grass (*Pennisetum setaceum*) and pampas grass (*Cortaderia Lselloana*) will be prohibited as a defined weed with the potential to spread through the development.
4. Common Bermuda Grass will be prohibited as a defined weed and for its profuse production of allergy-producing pollen. See 3.18 Project Development Area Landscaping for the criteria of approve grass installations.
5. All Citrus, Palms, Oleanders, Pines, Cypress, False Cypress, Juniper, and Cedar whose mature growth height may reasonably be expected to exceed ten feet will be prohibited for aesthetic reasons. Dwarf varieties, and those specimens whose mature growth height may reasonably be expected to be maintained at less than ten feet, may be installed on individual Lots within walled yard areas.

SONORAN DESERT WILLOW ESTATES

C/O A Different Association Management, LLC
516 E Fort Lowell Road
Tucson, AZ 85705

Architectural Design Modification Request

Name: _____ Address: _____ Email: _____

Phone: _____ Lot #: _____ Date of Request: _____

Description of Modification: (Attach additional sheets as needed. Include blueprints, sketches, specifications, elevations, color samples and description of materials.)

Contractor's contact information:

Materials:

Colors: (samples required)

Site Plan: For structures, show dimensions of proposed improvements and distances from property lines and existing structures in an attached document.

Estimated Completion Date: _____ **Owner Signature:** _____

ASSOCIATION RESPONSE:

Date: _____	Approved: Y N	By: _____
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Reason(s) for Denial:

Conditions Necessary for Approval:

Sonoran Desert Willow Estates HOA
DESIGN MODIFICATION REQUEST – ACKNOWLEDGEMENT
[Page Two]

Scale drawings are not required; however, an accurate description of the proposed modification, and its location on the lot, must be attached and submitted as part of your request.

The Applicant should be aware of the following:

1. The Architectural Control Committee (made up of your neighbors) has 30 (thirty) days in which to respond to this request.
2. All permits required for this project are the sole responsibility of the Owner (property owner and member of the HOA).
3. No work shall commence until the Owner has received written approval by the Committee.
4. The Architectural Committee will not address disputes between adjacent property owners.
5. The applicant is responsible for correcting any damage caused to common areas, streets, walls, or sidewalks. Materials must be stored on the Owner's property, and access over common areas is not permitted, unless specifically authorized in any approval for this request.
6. It is strongly recommended that the Applicant obtain written approval of neighbors. However, the neighbors' approval or disapproval will not necessarily dictate the Committee's decision.
7. The proposed improvement(s) will not adversely affect access or drainage through or across adjacent lots, nor shall it cause light pollution or unsafe conditions.

Owner waives statutory right (per SB1476, 2012, addressing only new builds or rebuilds of the main residential structure on owner's lot)) to the following:

1. An in person final design review meeting and the right to attend said meeting;
2. A written acknowledgment with the approval that the plans, including any amendments, are in compliance with all Association rules and guidelines;
3. Two onsite inspections by Association or Architectural Control Committee representatives during progress of the proposed modification;
4. Owner's attendance or that of owner's agent at the above onsite inspections;
5. A written report from the Architectural Control Committee within five (5) days of each inspection;
AND
6. A written report within thirty (30) days of the second inspection.

Owner's Signature: _____ Date: _____